RM 9101
Comments of SBC
July 10, 1997

Reply Affidavit of Elizabeth A. Ham
Filed with SBC Application for Provision of In-Region InterLATA
Service in Oklahoma (CC Docket 97-121)

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the matter of	)	
	)	
Application of SBC Communications Inc.,	)	
Southwestern Bell Telephone Company,	)	CC Docket No. 97-121
and Southwestern Bell Communications	)	
Services, Inc., for Provision of In-Region,	)	
InterLATA Services in Oklahoma	)	

AFFIDAVIT OF ELIZABETH A. HAM

I, ELIZABETH A. HAM, being duly sworn, depose and state as follows:

1. I am the same Elizabeth A. Ham who provided an affidavit in support of Southwestern Bell Telephone Company's ("SWBT") Operations Support Systems ("OSS") functionality, which was filed with SWBT's Oklahoma Section 271 application.

PURPOSE OF AFFIDAVIT AND SUMMARY

2. The purpose of my affidavit is to provide SWBT's reply to opposing comments with regard to CLEC access to SWBT's OSS functions in conjunction with our application for 271 relief in Oklahoma.

3. My initial affidavit showed that SWBT has done all it can to stimulate CLEC interest in SWBT's electronic interfaces and to address CLECs' questions about those interfaces. SWBT has demonstrated its electronic interfaces for AT&T, MCI, Sprint, and other CLECs. SWBT offers CLECs free access for 90 days, first to evaluate the OSS applications and then to use the OSS functions in a "live" mode. SWBT has established support organizations specifically to serve CLECs; these organizations include an OSS Help Desk, Local Service Provider Service Center

("LSPSC"), and Local Service Provider Center ("LSPC"). They provide nondiscriminatory support to CLECs as they access SWBT's OSS functions, place service orders, and report trouble conditions. The LSPC and the OSS Help Desk have staff personnel available on a 24 hours per day, 7 days per week.

4. SWBT has delivered on its promise to provide non-discriminatory OSS access to all CLECs, not just AT&T or MCI. Across all functions, SWBT provides a variety of electronic interface solutions. There are both proprietary interfaces developed by SWBT that CLECs may begin using quickly, and application-to-application interfaces based upon industry guidelines (where available) that allow CLECs to build their own custom user software. SWBT's development of both sorts of interfaces is important, for while AT&T dismisses other CLECs' need to utilize SWBT's proprietary interfaces because their entry into local markets will be "on a more limited or narrowly-focused basis,"[1] SWBT intends to accommodate all types and sizes of CLECs and their needs to interface electronically.

5. Large CLECs have stressed their critical need to begin competition with the use of industry standard, long-term, interface solutions. SWBT recognizes this is an important effort for all industry participants. Accordingly, SWBT has expended enormous efforts and continues to participate in industry forums and individual negotiations of these interfaces. The significant progress SWBT has made to date and all industry participants and regulators ahead should appropriately recognize the remaining challenges.

6. SWBT is implementing its offer of OSS access via any of the interfaces included in its Statement of Generally Available Terms and Conditions (STC) for Oklahoma. Moreover, SWBT has 23

[1] AT&T Dalton ¶ 11

interconnection agreements company-wide with OSS functionality defined and priced. Seven CLECs, including AT&T, have chosen to begin their use of OSSs with SWBT proprietary interfaces. The benefits are clear. SWBT's existing proprietary interfaces provide a simple, proven, stable means of access to SWBT's $2 billion OSS investment. SWBT has taken a leading role in developing industry standard interfaces for access to OSS functions and perhaps is the only RBOC to provide access to its own service order negotiation system (i.e., EASE). For these reasons, SWBT has met its obligation to offer nondiscriminatory access to its OSS functions.

7. In addressing the criticisms made by our opponents, we have chosen to focus our reply comments to four broad areas: Operational Readiness, Commitment, Capabilities and the U. S. Department of Justice's (DOJ) Position on Wholesale Process.

OPERATIONAL READINESS

8. Operational readiness of an electronic interface relates to SWBT's responsibilities under the Act to make available to CLECs on a nondiscriminatory basis, access to its operations support systems functions for pre-ordering, ordering, provisioning, maintenance and repair, and billing of unbundled network elements and resold services. The process of making interfaces operationally ready, depending on whether the interface exists or is brand new, involves the modification of front end and back office systems, testing of those modifications, development of new interfaces or functionalities as required or requested by CLECs, testing of the new interface internally and in conjunction with our back office systems, and sizing of the interface to ensure forecasted volumes can be adequately and timely processed. SWBT has performed these functions and has been ready for CLECs to utilize these electronic interfaces since January 1997.

9. While we advocate and encourage testing of SWBT electronic interfaces by CLECs (as evidenced

by our 90 day free evaluation and trial) and joint testing between SWBT and a CLEC where applicable, it should not be a precondition to determining whether an interface is operationally ready. If that were to be the case, SWBT would be at the mercy of the CLEC's information technology capabilities, training of personnel, and electronic system development schedules, all of which are beyond SWBT's control. In addition, the fact that CLECs have chosen not to or have not been ready to pass meaningful volumes of transactions or order requests to SWBT's electronic interfaces should not be a criteria for determining SWBT's electronic interface readiness. The following paragraphs provide specific replies to opponents' comments regarding operational readiness.

10. MCI and AT&T contend that SWBT interfaces are not operationally and commercially satisfactory because they or other large CLECs have not established competitive volumes of transactions/orders via SWBT interfaces.[2] Just because a large CLEC is not ready, does not wish to, or is technically incapable of using SWBT electronic systems and interfaces does not classify a system/interface as not commercially ready. As explained in my earlier affidavit on OSS issues, SWBT's EASE, Verigate, DataGate, Order Status, Trouble Administration, and EBI have been commercially operational and serving the needs of SWBT's retail customers, itself, and interexchange carriers for some time. They have processed thousands of transactions, service orders and trouble reports over years of operation and have since been enhanced as required for CLEC utilization.[3] For example, the EASE application is used on a daily basis by over 5,000 internal SWBT service representatives inputting on average 65,000 orders per day for the pre-order and ordering/provisioning functions. EASE affords CLECs the necessary functionality for

[2] MCI King ¶ 29; AT&T Dalton ¶ 32

pre-ordering, ordering, and provisioning of resold services, on precisely the same basis as it is available to SWBT's own employees. EASE is operationally ready regardless of whether or not it has been subjected to any operational readiness test by any CLEC.

11. From a CLEC utilization perspective, Valu-Line of Kansas has begun passing "live" service orders electronically via residence and business EASE and will shortly be using CNA for Billing Inquiry, and the service Order Status and Trouble Administration applications of the SWBT Toolbar platform. Likewise, AT&T has been accessing residence EASE since February 1997 to develop and conduct their internal EASE training. AT&T will begin entering "live" employee orders during a test period in late May 1997. Several other CLECs are taking advantage of our free 90-day evaluation period and are conducting tests with Verigate, DataGate, Order Status and Trouble Administration. Because SWBT's OSSs are operated on a centralized basis, all of this experience is applicable to OSS access by CLECs in Oklahoma.

12. MCI's complaints about automated interface capability for complex business arrangements (i.e. involving more than 30 lines)[4] trivializes the complexity of these services both from a system and customer service perspective. This is not a "parity" issue at all. SWBT handles these types of orders manually with its own customers. Due to the unique and varied arrangements that can be negotiated with the customer, SWBT has never developed a front-end interface for its own use for complex business services. Our experiences have determined that quality customer service for these specific types of services can only be provided by individual customer care from specially trained experts. This is what SWBT's Local Service Provider Service Center (LSPSC) offers to every CLEC, just the same as we handle these situations for our own retail customers. In the event

[4] Details volumes for SWBT interfaces are detailed Ham affidavit ¶ 49-58 filed with SWBT 271 application.

that SWBT develops additional electronic functionality for complex services to be used by SWBT's retail operations, these same enhancements will simultaneously be provided to any CLEC using SWBT's EASE system. In addition, SWBT is working to incorporate complex service requirements into SWBT's EDI Gateway and LEX offerings.

13. Unlike the systems that are used by SWBT itself, and by its retail and interexchange carrier customers, SWBT's EDI Gateway is being developed specifically to accommodate the preferences of CLECs. We agree that a phased[5] approach to systems development and that joint testing and "live" trials are certainly a necessity before "live" activity is allowed to be processed. The development of SWBT's EDI Gateway has followed this approach. Despite the rhetoric of our opponents, SWBT also has diligently developed and tested the EDI Gateway. SWBT programmers first completed simulation testing, corrected any problems encountered during the initial testing period, and re-tested the corrected system. Subsequently, a quality assurance team simulated various ordering scenarios and tested any added new functions. A summary of these efforts is attached to my affidavit as Attachment A.

14. SWBT has been ready to begin joint tests with CLECs since January 1, 1997, but AT&T is the only CLEC that appears to have progressed enough in their electronic interface development to be remotely ready to begin the complex task of joint testing with SWBT. Even AT&T, however, has slipped the start of the joint tests several times. In the mean time, SWBT continued to perform internal testing to keep validating our system changes as much as possible to foster an even more successful joint test when AT&T was ready. SWBT finally began testing its EDI Gateway interface with AT&T on April 24, 1997. Phase 0 and Phase 1 of the System Readiness Test (SRT)

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[5] MCI King ¶ 32

were completed on May 19, 1997. On May 20, joint testing moved into a production environment, starting with select AT&T accounts in a "live" test mode. MCI has just committed this month to utilizing SWBT's EDI Gateway and has targeted October 1997 to begin passing resale services and unbundled network element order requests. It has not been SWBT's fault that the CLECs have not been capable of developing their EDI capabilities to be able to begin the joint testing process any earlier.

15. Claims made by MCI that SWBT has no automated ordering interface for unbundled switching, unbundled transport, trunks, ISDN, or any combination of unbundled elements[6] are incorrect. SWBT's EDI Gateway interface as well as SWBT's LEX interface support the Ordering & Billing Forum (OBF) Local Service Request (LSR) guidelines. This includes the ordering of Switch Ports (unbundled switching with common transport). The Switch Port LSR supports the ordering of trunks and other business arrangements. SWBT's interfaces also support all UNE combinations defined by OBF, including Loop with Port, and Loop with Port and Interim Number Portability. SWBT accepts Local Interconnection Trunks and Unbundled Dedicated Transport requests electronically using the Access Services Request (ASR) process, also in accordance with OBF guidelines. Both Network Data Mover (NDM) and Unix Telis electronic interfaces have been modified and are available. The ASR/NDM process is currently being used between SWBT and MCI and other interexchange carriers for the ordering of access services.

16. MCI states s that the Electronic Bonding Interface (EBI) has not been tested by any CLEC,[7] yet SWBT "tests" (EBI) daily with MCI and AT&T with actual trouble reports for their access

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[5] AT&T Dalton ¶ 21-32
[6] MCI King ¶ 32, 51
[7] MCI King ¶ 67

services, including POTS long distance. MCI informed SWBT (May 7, 1997 meeting) that for future EBI local service trouble administration, MCI intends to use the same connection and back office OSSs they currently use for managing access services trouble administration with SWBT. This interface between SWBT and MCI has been operational since September 1995. The fact that MCI intends to utilize the same connection and back office systems for local service as they do for exchange access services also disproves its allegation that SWBT is overstating the importance of interexchange carriers' experience in the exchange access arena.[8]

17. MCI cites supposed limitations of LMOS related to utilizing EBI for local POTS service.[9] MCI's claims are unfounded. In fact, EBI populates the same fields in LMOS electronically as a SWBT technician does directly into the LMOS system. That is, it is the same for SWBT technicians directly interfacing LMOS as it is for MCI or any CLEC using EBI to populate LMOS electronically. On January 22, 1997, SWBT provided MCI an updated Joint Implementation Agreement for EBI Version 1.1. This document details how EBI and the LMOS system is used to process POTS trouble reports. Specifically, it explains the differences between MCI's EB requirements and how SWBT has implemented these requirements based on SWBT's back office system capabilities.

18. MCI's Mr. King at ¶ 77 claims that SWBT is not operationally ready because no CLEC has employed SWBT's daily usage feed. MCI is mistaken. SWBT implemented the Usage Extract Feed functionality in December, 1996. Two CLECs (Dobson Wireless in Oklahoma and USLD in Texas) are currently receiving the Usage Extract Feed electronically on a "live" basis. Moreover, while SWBT concurs with MCI that usage feeds are important and accordingly supports providing

[8] MCI King ¶ 67

electronic transmission of test data to allow for a test period prior to "live" implementation, there is reason to question MCI's readiness and commitment to testing of the usage data. On March 24, 1997, SWBT sent a test file to MCI and to date we have yet to receive feedback, although MCI indicated they would provide feedback within a week. It is also ironic that while SWBT suggested that the file should be sent electronically, MCI insisted that the transmission of the test file be sent via a tape.

19. Assertions were made by AT&T that SWBT's interfaces are not yet ready to support local service market entry at reasonable volume levels such as those planned by AT&T.[10] We assume this means AT&T believes that SWBT's electronic interfaces do not have the capacity to properly handle AT&T order volumes. In fact, AT&T notes two forecasts[11] submitted to SWBT in 1996 by AT&T representative Surendra Saboo as proof that it has provided forecasts with which SWBT could size its electronic interfaces.

20. SWBT believes that AT&T's forecasts and verbal assertions of impending order volume are not reliable. In April of 1996, AT&T forecasted a combined 70,000 resale orders per month for Missouri, Oklahoma and Texas. In June of 1996, they revised the forecast to 137,000 orders per month for the same states. On March 6, 1997, Mr. Saboo indicated on a conference call with SWBT personnel that each of AT&T's 1000 service representatives will complete 10 orders per day for each of SWBT's Revenue Accounting Offices (RAO). SWBT has seven (7) RAOs. Mr. Saboo also indicated that in 100 days, AT&T would be getting hundreds of bills from SWBT and that the current limitation on the number of end user accounts on the Consolidated Billing

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[9] MCI King ¶ 69
[10] AT&T Dalton ¶ 7
[11] AT&T Dalton ¶ 78; AT&T Dalton Attachments 20 and 21

Arrangement (CBA) was not satisfactory. If we were to believe the volume of orders AT&T anticipates, then their service representatives will be issuing 10,000 service orders per day times the 7 RAOs within SWBT which equates to 70,000 service orders daily. This in turn indicates that once AT&T is approved in all five states, they expect to capture 7 million or 50% of our customers in 100 days.

21. With these far-fetched "forecasts," it is difficult for SWBT to put much value into any of AT&T's figures for any OSS sizing. The fact remains that SWBT has yet to receive a single "live" order from AT&T for any resold service or UNE either manually or electronically. In addition, AT&T has yet to respond to our written request of March 1997[12] for detailed written forecast information. Nonetheless, SWBT is committed to providing sufficient processing capacity to meet the demand of CLECs using any of SWBT's electronic interfaces. For example, SWBT's EDI Gateway alone has been sized to be capable of supporting 100,000 requests for resold services per quarter and 300,000 service requests for unbundled network elements during 1997. SWBT's electronic interfaces made available to CLECs are designed to be scaleable, since these applications utilize state of the art client/server technology. SWBT also has processes in place to monitor capacity needs; thus, hardware can easily be incorporated into the existing infrastructure to accommodate growth as necessary.

COMMITMENT

22. Serious allegations have been made regarding SWBT's commitment in developing access to OSS. AT&T alleges that SWBT has engaged in unwarranted delay and has provided insufficient

[12] SWBT forecast letter provided as Attachment E in Ham affidavit filed with 271 application April 11, 1997

cooperation for access to unbundled network elements (UNEs).[13] AT&T and MCI complain about a supposed lack or refusal to supply system specifications[14] documentation. MCI also criticizes SWBT's commitment to industry standard feature identification codes.[15] All of these allegations are false and unfounded, and will be addressed in the following paragraphs.

23. It is ironic AT&T's Ms. Dalton at ¶ 12 to state that a lack of cooperation from SWBT made it difficult for AT&T to gain access to SWBT's OSSs. If SWBT is holding up AT&T, why did it take months for AT&T to accept SWBT's invitation to attend training on the technical aspects of accessing SWBT's DataGate electronic interface? I can only speculate that AT&T was not ready to begin the evaluation process of the interface. More generally, DataGate is an example of how SWBT has taken the initiative, in the absence of a national standards for pre-order access to OSSs, in order to accommodate the needs of CLECs. DataGate provides a convenient gateway that allows a CLEC to acquire all pre-order information from a single interface, in real-time, using its own negotiation system. AT&T has been testing the DataGate interface since March 13, 1997 and as evidenced by AT&T's affidavit of Nancy Dalton in ¶ 51, has apparently decided that SWBT's proprietary DataGate is a good enough interface to use for the pre-ordering process. In another example dating back to November, 1996, AT&T and SWBT negotiated to establish an Electronic Bonding Interface (EBI) in the trouble administration arena for resale and UNE to be in service August, 1997. AT&T has repeatedly failed to deliver their requirements and meet the dates to begin joint testing that AT&T insisted upon in negotiations with SWBT. AT&T has recently informed SWBT they will not be ready for EBI for at least six months. Sprint has also informed

[13] AT&T Wren ¶ 8; AT&T Dalton ¶ 12,35
[14] AT&T Wren ¶ 33; AT&T Dalton ¶ 38; MCI King ¶ 36,51
[15] MCI King ¶ 33,62

SWBT they will not meet their negotiated dates to establish EBI. It's difficult to understand what additional effort SWBT could have made since it has bent over backward to satisfy AT&T's and other CLECs' ever-changing needs and requirements.

24. AT&T would have this Commission believe that SWBT has not made good on its commitments regarding EDI development, forcing AT&T to settle for the EASE system.[16] EASE is simply an alternative that will facilitate the CLECs' prompt entry into our markets on a resale basis. AT&T and the other major CLECs have grossly underestimated the complexity of providing service in the local exchange market and the difficulty of developing an entirely new ordering process (EDI) within the timelines AT&T had projected. However, because EASE is used for SWBT's own internal operations, it will allow CLECs OSS access for resale even before new systems can be implemented to accommodate the divergent needs of various CLECs. AT&T's plan to ultimately use systems other than EASE for its transactions is in no way proof that SWBT has failed to satisfy its requirements under the Act.

25. AT&T's assertion that nothing has been accomplished regarding development of the OSS interfaces required to support the "UNE platform"[17] is not only incorrect but also disingenuous. First, it should be understood that the concept of "UNE platform" was developed by AT&T seemingly to enable them to acquire resold services at UNE prices. The FCC Interconnection Order provided facilities-based CLECs with the capability to design their own networks using UNEs acquired from an ILEC. Instead, AT&T wants SWBT to define the UNEs necessary to provide a resold service and thus provide AT&T with the capability to avoid the resale requirements of the '96 Act.

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[16] AT&T Dalton ¶ 35

26. Regardless of the "UNE platform" dispute, however, SWBT's EDI Gateway and LEX (June 1997)[18] ordering interfaces provide access to OSS functions to support UNEs. The SWBT EDI Gateway is available today and supports the OBF defined UNE elements and combinations, including Loop with Switch Port. SWBT's only requirement is that the CLEC take responsibility for their "leased" network, and specify the type of loop (e.g., 8db or 5db option), switch port (e.g., analog-line side) and switch features (e.g., custom calling, etc.) on the service request for their UNE combination. SWBT has requested dates from AT&T to begin joint testing of this UNE interface and it is AT&T that has been unable to specify its readiness. Underscoring SWBT's commitment, SWBT has also agreed to manual testing of Loop with Switch Port requests (including conversion activity) from AT&T for live customer accounts. The Commission should not allow AT&T to use the "UNE platform" dispute to hide the steps SWBT has taken to establish viable interfaces for UNE. SWBT has proven that the "UNE platform" is not an OSS issue because SWBT's EDI Gateway can handle loop and switch port combinations today.

27. AT&T claims that SWBT has not provided interface design specifications for AT&T's "UNE platform."[19] In fact, SWBT has provided AT&T extensive UNE documentation and specifications. For example, SWBT has provided specific Local Service Request (LSR) usage documentation of its EDI Gateway interface. SWBT has even gone so far as to document the specifications in the format that AT&T requested (i.e., eye charts). SWBT has not only provided system specifications documentation for UNE, but has taken the extra effort to manually complete LSRs using that documentation to help AT&T understand the system requirements.

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[17] AT&T Dalton ¶ 37

[18] LEX will be joint tested with two CLECs beginning in June 1997

[19] AT&T Dalton ¶ 38

28. AT&T states that SWBT is still in the process of clarifying and supplementing its own interface specifications.[20] SWBT does not deny that it continues to enhance its interface documentation. Ongoing changes and enhancements coming from CLEC negotiations as well as from the closure of new OBF issues necessitate ongoing documentation changes and updates. In addition, through its discussions with CLECs SWBT continues to learn of better formats to more effectively convey the information and in areas that require clarification. In order to provide more clarity and be proactive, SWBT is currently completing a new document to communicate LSR ordering requirements based on this kind of input. However, these efforts should not be misconstrued to indicate that SWBT has not prepared or provided specifications about its electronic interfaces to CLECs. For example, I question how AT&T, the only CLEC currently capable of testing SWBT's EDI Gateway interface, could be implementing EDI without SWBT having shared detailed interface specifications. The fact remains that OSS interface development is an evolutionary process, as SWBT continues to modify and refine its OSS capabilities to meet the ever changing demands and needs of CLECs.

29. MCI's assertion that SWBT has refused it access to its OSS systems specifications is equally misplaced.[21] SWBT conducts OSS interface development as part of interconnection negotiations. Joint meetings took place on November 6 and December 9 and 10, 1996. At that time, SWBT explained its plans to follow OBF formats in defining resale and UNE ordering requirements and to utilize ECIC EDI transmissions for batch data exchange. MCI diverted the focus of the negotiations to other issues, slowing OSS negotiations. On February 3, 1997, SWBT provided MCI OSS interface hardware and software specifications and offered to discuss options in detail.

[20] AT&T Dalton ¶ 8

Then, on March 20, 1997, SWBT provided MCI with thorough demonstrations of SWBT's OSS interfaces. The afternoon was reserved for MCI representatives to express their OSS interface requirements. MCI attendees focused their comments on UNE methods and procedures, manual order testing, and repeated warnings of their need for prompt manual service order handling. With little or no OSS discussion initiated by MCI, the meeting resorted to SWBT representatives discussing SWBT OSS alternatives and ideas on how to move forward. More recently, OSS working session implementation meetings were held on May 7 and 8, 1997. In preparation for the meetings, SWBT provided MCI with details on its EDI ordering requirements and several user guides. These meetings were held at the request of MCI, but MCI's desire to discuss other issues only allowed SWBT to further explain its OSS offerings in slightly more detail. Again, SWBT has since offered to hold focused interface meetings when MCI is ready.

30. Interestingly, the day before the May 7, 1997 meeting took place, MCI advised they would pursue the EDI interface, with the goal of having it fully functioning by October 1, 1997. It is difficult for SWBT to understand MCI's complaints about not receiving system specifications from SWBT, yet MCI has received enough information available to make a business commitment to deploy SWBT's EDI Gateway. Also notable, MCI indicated its continuing desire to evaluate EASE and other OSS interfaces. With some direction and focus by MCI, SWBT will again attempt to schedule detailed meetings to provide our EDI interface specifications and establish a joint implementation plan.

31. MCI contradicts itself when it complains that SWBT has not committed to employing the industry

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[3] MCI King ¶ 36,43

conventions for feature identification codes.[22] but then later objects that SWBT has refused to supplement standards in order to make them workable before final industry specifications are released.[23] SWBT is committed to providing parity of service and to following industry standard guidelines. as evidenced by the fact that SWBT has not only modified its retail systems (i.e. EASE) for CLEC use. but is aggressively developing LSR/EDI capability. This includes both SWBT's EDI Gateway and LEX offerings. In fact. it was entirely because no CLEC, ILEC, or industry group has been able to establish a sufficient and complete definition of feature codes that SWBT agreed to use internal Universal Service Order Codes (USOC) as a workable solution in order to establish EDI ordering capability ahead of standards. This was done to meet AT&T's supposed business needs and required SWBT to replace programming that was initially developed with the industry codes. This provides conclusive evidence that SWBT is not only committed to industry guidelines. but is also just as committed to the implementation of negotiated interface solutions in advance of standards where technically feasible.

32. AT&T claims in their opposition brief at 30 that it is increasingly clear that SWBT will not meet the key target dates set forth in the implementation schedule for resale OSS interfaces adopted by the Oklahoma commission in the SBC-AT&T arbitration case. SWBT will indeed meet the resale services dates it committed to meet by June 1, 1997 as specified in the Oklahoma arbitration case. What is in jeopardy. and SWBT has made this public in reports to the Texas commission. is its ability to mechanize complex services in the time frame requested by AT&T. As I explained in paragraph 12 of this affidavit. SWBT handles these types of orders manually with its own customers. Due to the unique and varied arrangements of complex services that can be negotiated

[22] MCI King ¶ 62

with the customer. SWBT has never developed a front-end interface for its own use to handle complex business services. Nevertheless, at AT&T's request, SWBT has agreed to incorporate complex resale services in its EDI Gateway. This is a very complicated task that takes extensive programming, testing and fields mapping time to accomplish and cannot be completed by the unrealistic target date of July 1, 1997. Based on AT&T's track record of postponing dates in the past for joint testing of the EDI and EBI interfaces as documented in ¶ 14 and ¶ 23 of this affidavit, it would be a surprise if AT&T were ready to proceed with complex services in July.

CAPABILITIES

33. This section provides rebuttal related to specific criticisms made about supposed deficiencies with SWBT's electronic interfaces and their ability to provide CLECs nondiscriminatory access to pre-ordering, ordering, provisioning, maintenance and repair, and billing functions. In addition, other issues not specifically addressed elsewhere in this affidavit will be addressed in this section.

34. SWBT has made available to CLECs pre-order electronic interface capabilities in complete parity with those of SWBT service representatives. SWBT proactively enhanced existing, commercially viable interfaces in advance of industry standards for the pre-ordering process. MCI complains that SWBT's pre-order options (DataGate, Verigate and EASE) are proprietary and thus are inherently inferior. MCI suggests that SWBT develop pre-order capabilities using TCP/IP EDI for the intermediate term until the industry specifies an electronic bonding long term solution.[24] Consequently, MCI leaves no solution on the table for immediate electronic pre-order access. The fact is, OBF has not issued the pre-order process standards definitions into initial closure. As a result, the TCIF EDI committee has not begun specific EDI mappings to define pre-order

[24] MCI King ¶ 64

standards. No timetable has been set for when this standards work will be complete, much less for when implementation would be realistically achievable. Therefore, for MCI to suggest that SWBT is not providing five of eleven industry standardized pre-order functions electronically[25] is without merit, since there are no national standards to date that define pre-order standards. It is also interesting to note that at a May 7,1997 OSS meeting between SWBT and MCI, no one from MCI was prepared to discuss or even to identify the meaning of the five pre-ordering functions MCI now claims need to be mechanized.

35. MCI is again misinformed regarding industry standards with regard to resale billing. MCI incorrectly states that OBF/TCIF specify Carrier Access Billing System Billing (CABS BOS) is the industry standard for resale billing.[26] The truth is, there is no standard that specifies CABS BOS billing output for resale. SWBT's CRIS EDI provides those data elements that OBF has identified as guidelines for a "minimum set of data elements" that should be available on a resale bill. The CRIS EDI provides for an industry standard 811 Transaction Set that provides flat-rated and usage-sensitive charges in addition to call detail for the calls being billed, and does specify the bill period. Also, the EDI 811 Transaction Set is an industry standard and does not vary from ILEC to ILEC as MCI would have the Commission believe.

36. With regard to UNE billing and in response to MCI,[27] SWBT will bill UNEs with the CABS BOS via a mechanized "Local" Bill Data Tape. The only caveat is that some UNEs currently being billed in CRIS (e.g. AIN) may continue to be billed via CRIS. These would then be available in the industry standard EDI 811 Transaction Set.

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[24] MCI King ¶ 38,39
[25] MCI King ¶ 37
[26] MCI King ¶ 33, 74

37. Regarding MCI's comments about daily usage feeds for calls.[33] SWBT has clarified for MCI how all the types of calls have been identified in MCI's Interconnection Agreement with SWBT (Attachment 8 - Section 5, Provision of Subscriber Usage Data, paragraph 5.1.1.4). Similar language is contained in Sprint's approved agreement in Oklahoma (Attachment 5, Provision of Customer Usage Data-Resale, paragraph 3.1). SWBT has always stated that whatever is billed on the monthly bill as usage sensitive, either for resale or for UNEs, will be included in the daily usage extract feed. MCI, however, has requested that usage for flat-rated local service be provided and also any call attempts. There is no usage recorded for flat-rated local service or call attempts, and thus it cannot be provided on the daily usage extract feed.

DEPARTMENT OF JUSTICE POSITION ON WHOLESALE PROCESS

38. In its comments, the Department has chosen to ignore operational support system (OSS) functions information provided by SWBT to the Department in meetings and correspondence, my previous affidavit, and SWBT electronic interfaces demonstrations.

Background

39. On January 31, 1997 in Dallas, representatives from the Commission and the Department attended a meeting with SWBT personnel. The intent of this meeting was to demonstrate the electronic interfaces to Operations Support Systems (OSS) functions SWBT had made available to CLECs. The attendees also toured the LSPSC and witnessed the processing of CLEC orders in a manual environment. Along with others, Messrs. Stuart Kupinsky, Gerald Lumer, and Jonathan Lee were in attendance from the Department, as was Chuck Hemptling consultant to the Department.

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[33] MCI King ¶ 76
[34] MCI King ¶ 73

40. At the conclusion of the demonstration, Martin Grambow, SBC, asked Mr. Kupinsky whether SWBT was on target with respect to OSS functionality, and did Mr. Kupinsky identify any major problems with SWBT's approach. Mr. Kupinsky replied that it seemed that SWBT had provided a lot more functionality than the other RBOCs. In addition, SWBT had provided the CLECs with electronic interface options. Mr. Kupinsky added that the consolidation of applications on the SWBT Toolbar platform seemed helpful and that the channel assignment status capability of Verigate was unlike anything that he has seen anywhere else. In terms of functionality, Mr. Kupinsky stated that it seemed as if SWBT was providing parity to what its retail customer service representatives had.

41. Mr. Grambow stated that SWBT intended to keep refining its OSS options and working with the Department and FCC staff to ensure that it was providing all that was required to satisfy the checklist requirements. Mr. Kupinsky replied that the Department would like to work with SWBT in that respect. Mr. Kupinsky stated that it was very helpful to the staff to hear how SWBT had developed the OSS options it was offering.

42. SWBT has relied on the Department to do what it said, "to work with SWBT." However, the work the Department has done appears to be with the large CLECs. What once was considered by SWBT to be a positive perspective from the Department is now deemed not in compliance. The Department now says SBC has failed to offer adequate functionality, as stated on page 89 of Appendix A. In the following paragraphs, I will reply to specific issues raised or positions taken by the Department, not already discussed elsewhere in this affidavit.

SWBT Responses

43. The Department has unilaterally established its own criteria for evaluating BOC compliance with the checklist. First, it asserts that wholesale support processes must be automated if the volume of transactions would, in the absence of such automation, cause considerable inefficiencies and significantly impede competitive entry.[29] There is nothing in the Act or in the Commission's Orders that require the automation of manual processes. While SWBT is a leading telecommunications company in the automation of processes and has taken a proactive role in providing electronic interface choices to CLECs, our only requirement is to provide nondiscriminatory parity with a BOC's retail operations and to respond appropriately to CLECs' requests for new forms of access. If a current process is handled manually today by our retail operations, SWBT's core obligation is to make that process available to CLECs in the same way. There is no further duty to develop automated processes absent a CLEC's technically feasible request and commitment to pay.

44. Another situation where the Department has taken it upon itself to establish evaluation criteria for compliance is that BOCs must build electronic transaction interfaces,[30] also known as application-to-application interfaces. Although SWBT has enhanced its DataGate pre-ordering interface and developed its EDI Gateway for ordering, there is no legal requirement for these types of interfaces. Large CLECs, however, claim that SWBT's systems limit the ability to transfer information electronically to their internal OSSs and require CLEC service representatives to act as a manual buffer between SWBT's system and the CLECs internal applications.

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[29] DOJ C.I.a. at 28

45. SWBT has recognized that the large CLECs will have their own customer care and billing systems. In an effort to make the EASE system as compatible with CLEC systems as possible, SWBT makes available to CLECs an electronic file transmission each day, reflecting all the previous day's distributed service orders. We developed this capability so CLECs can mechanically populate their own systems and not have to perform manual dual entry of data. Therefore, for the Department to state that as a practical matter, SWBT's ability to receive orders for resale and UNEs from carriers with their own OSSs rests exclusively on its EDI interface[31] is obviously without merit when it comes to EASE's capability for resold services.

46. The Department states that EASE, "when operational" may fulfill the needs of small CLECs without their own OSSs, but will not meet the needs of large CLECs with their own robust OSSs.[32] As detailed in paragraph 10 of this affidavit, EASE processes thousands of orders daily for our retail customers and is in fact operational. AT&T, a large CLEC with its own robust OSS network, has committed to utilizing residence EASE beginning this month. AT&T has chosen to use EASE to serve the residence resale market in spite of the fact that detailed LSR/EDI negotiations for the same functions have been completed between our companies. Although AT&T may alter its processes in order to integrate EASE into its operation, that integration and deployment of EASE will be completed and operational sooner than their new EDI process. This is indicative of the fact that building an OSS infrastructure for the ordering/provisioning of local service is complex and takes time. SWBT recognized this early on, and that is why SWBT offers

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[30] DOJ Appendix A at 69
[31] DOJ Appendix A at 76
[32] DOJ Appendix A at 74

multiple choices of electronic interfaces to meet the needs of all CLECs regardless of size and information technology capability.

47. SWBT has "exceeded" its obligations under the Act and FCC rules because it has made a range of electronic interfaces available to CLECs, and not as the Department claims, solely because it has developed an EDI interface.[33] For example, SWBT offers the same system (EASE) that our retail organizations use with our end user customers in addition to offering an EDI interface. In addition, our newest resale and UNE ordering application, Local Service Request EXchange System (LEX), a graphical user interface, will allow CLECs without EDI capability to mechanically create and submit national standard formatted Local Service Requests (LSRs). SWBT will trial LEX beginning in June 1997 with two CLECs.

48 Valu-Line of Kansas has begun utilizing EASE to process resold services electronically. There were some start-up problems for Valu-Line, not atypical of when SWBT deploys a new application in one of its own centers. However, since Valu-Line wrote a letter to the Department (at its request) expressing their implementation problems,[34] and the Department never gave SWBT an opportunity to respond to that letter, SWBT is responding to Valu-Line's allegations in Attachment B of this affidavit.

49. The Department claims that SWBT has actively thwarted competitors attempts to develop and test interfaces to SWBT's OSSs.[35] The prime example used to make this claim is a quote from MCI's King affidavit in ¶ 35, where Mr. King states that SWBT has refused to allow MCI to submit test orders in Missouri or Texas until MCI had a signed interconnection agreement and was a certified

[33] DOJ Appendix A at 77

[34] DOJ TAB G attachment - Valu Line of Kansas Letter dated May 8, 1997

carrier in those states. To set the record straight, the "live" test orders MCI wanted to send to SWBT were going to be submitted manually by MCI, and not intended to test any of SWBT's electronic interfaces. Thus, this was not even an OSS issue. SWBT is steadfast in its position that it should only work with CLECs in the provision of "live" service under the terms of a negotiated and effective interconnection agreement and where the CLECs advises SWBT that they have been certified to provide local exchange services in that state. This policy makes the best use of SWBT's resources and implementation considerations for CLECs with negotiated and approved agreements (66 as of 5/19/97) throughout our five-state region. At the time, MCI had neither. Once MCI and SWBT negotiated an interconnection agreement, SWBT agreed to notify the state commissions of its plans to support a manual trial with MCI prior to state certification. SWBT's actions not only demonstrate our commitment to foster competition, but also shows SWBT's flexibility in modifying its policy of not waiting for state certification to accommodate CLECs requests for trials.

50. The other example the Department uses to claim that SWBT has thwarted competitors is where AT&T, MCI, and Sprint have expressed that SWBT delayed the provision of information needed to begin development of interfaces to SWBT.[35] Paragraphs 26 and 27 of this affidavit address specific claims of lack of technical specifications by AT&T and MCI respectively. However, because of the Department's serious allegations that SWBT has purposely delayed the dissemination of technical information to these CLECs, an explanation of the facts is warranted. While it should be recognized that OSS negotiation and implementation progress with each CLEC

[35] DOJ d.2 at 59
[36] DOJ d.2 at 59